

**Motor Carrier Group Chairman's Factual Report
HWY-05-MH035**

Attachment #15: FMCSA Response to CVSA 09/03/2002
(3 Pages)



U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration

Office of the Administrator

400 - Seventh St., SW
Washington, DC 20590

SEP 3 2002

Mr. Stephen F. Campbell
Executive Director
Commercial Vehicle Safety Alliance
5430 Grosvenor Lane, Suite 130
Bethesda, MD 20814

Dear Mr. Campbell:

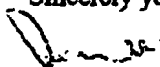
Thank you for your August 1 letter outlining concerns with this agency's policy on the use of intrastate violations in the safety rating process. The Federal Motor Carrier Safety Administration (FMCSA) is committed to providing a safe and efficient transportation system, and I am pleased that the Commercial Vehicle Safety Alliance (CVSA) has reaffirmed its commitment to the reduction of accidents and injuries. Both the CVSA and FMCSA have a long history of mutual cooperation and I trust that our alliance will continue to be one of common understanding and support.

The policy memorandum in question was issued to address legal concerns and recent court decisions, and by no means reduces FMCSA's commitment to our Federal/State partnership. We remain committed to providing leadership and assistance to State, Canadian, and Mexican enforcement personnel and to the use of all safety-related data. As but one example, FMCSA uses intrastate accident and safety-related data to assign Motor Carrier Safety Status Measurement System (SafeStat) scores. The SafeStat score is our pointer system to prioritize motor carriers for on-site reviews. We provide our Motor Carrier Safety Assistance Program (MCSAP) partners with updated SafeStat lists every 6 months. Both FMCSA and our MCSAP partners use the lists to identify motor carriers for safety compliance reviews and to confirm SafeStat ranking data. Where a carrier is in noncompliance, enforcement officials are encouraged to first educate the carrier and bring it into compliance with the Federal Motor Carrier Safety Regulations or compatible State regulations. Penalties may be issued where attempts to bring about compliance fail.

SafeStat scores rely heavily upon input from your members, as they provide accident and roadside safety inspection data. CVSA's continued commitment to the SafeStat process is an integral part of FMCSA's enforcement process. The policy in question does not change the need for intrastate data. Nor does the policy reduce the importance of CVSA's members in our process.

I look forward to our continued working relationship in support of our mutual and vitally important mission—truck and bus safety on the Nation's highways. I trust that my reply sufficiently addresses your concerns.

Sincerely yours,



Julie Anna Cirillo
Assistant Administrator and
Chief Safety Officer